AMENDMENTS TO THE CLAIMS:

The following is the status of the claims of the above-captioned application, as amended:

Claims 1-50 (Canceled)

Claim 51 (Currently amended). An isolated nucleic acid sequence, which comprises a sequence encoding a polypeptide that has transcriptional activation activity, wherein the sequence encodes a polypeptide having an amino acid sequence that is at least 95% identical with the amino acid sequence of SEQ ID NO: 49. ~~is:~~

~~(a) a nucleic acid sequence which hybridizes under high stringency conditions with (i) the nucleic acid sequence of SEQ ID NO: 48 or (ii) its complementary strand, wherein the high stringency conditions are defined by prehybridization and hybridization at 42°C in 5x SSPE, 0.3% SDS, 200 micrograms/ml sheared and denatured salmon sperm DNA, and 50% formamide, and washing at 65°C for 30 minutes in 2X SSC and 0.2% SDS; or~~

~~(b) a nucleic acid sequence that encodes a fragment of SEQ ID NO: 49, wherein the fragment has transcriptional activation activity.~~

Claim 52-53 (Canceled).

Claim 54 (Original). The nucleic acid sequence of claim 53, which comprises a sequence encoding a polypeptide having an amino acid sequence that is at least 97% identical with the amino acid sequence of SEQ ID NO: 49.

Claim 55 (Original). The nucleic acid sequence of claim 54, which encodes a polypeptide having an amino acid sequence that is at least 99% identical with the amino acid sequence of SEQ ID NO: 49.

Claim 56 (Original). The nucleic acid sequence of claim 51, which encodes a polypeptide comprising the amino acid sequence of SEQ ID NO: 49.

Claim 57 (Original). The nucleic acid sequence of claim 56, which encodes a polypeptide consisting of the amino acid sequence of SEQ ID NO: 49.

Claim 58-60 (Canceled).

Claim 61 (Currently amended). The nucleic acid sequence of claim ~~59~~51, which is obtained from an *Aspergillus* cell.

Claim 62 (Original). The nucleic acid sequence of claim 61, wherein the *Aspergillus* cell is an *Aspergillus oryzae* cell.

Claim 63 (Currently amended). The nucleic acid sequence of claim ~~62~~61, wherein the *Aspergillus* cell is *Aspergillus oryzae* ~~*Aspergillus niger*~~, IFO 4177.

Claim 64 (Original). The nucleic acid sequence of claim 51, wherein the nucleic acid sequence is obtained from an *Aspergillus*, *Fusarium*, *Penicillium* or *Trichoderma* cell.

Claim 65 (Original). A nucleic acid construct comprising the nucleic acid sequence of claim 51 operably linked to one or more control sequences, which direct the production of the polypeptide in a suitable expression host.

Claim 66 (Original). An expression vector comprising the nucleic acid construct of claim 65, a promoter, and transcriptional and translational stop signals.

Claim 67 (Original). A host cell comprising the expression vector of claim 66.

Claim 68 (Original). A host cell useful for the production of a polypeptide, wherein the host cell is a mutant of a parent fungal cell and the host cell:

(a) comprises one or more DNA sequences encoding the polypeptide,

(b) comprises one or more DNA sequences encoding a protease or proteases, the transcription of which is or are activated by a transcriptional activator encoded by a nucleic acid sequence of claim 51; and

(c) produces less of the transcriptional activator and less of the protease or proteases compared to the parent fungal cell when cultured under the same conditions.

Claim 69 (Original). A method of producing a polypeptide, comprising:

(a) cultivating the host cell of claim 68, wherein the host cell harbors a gene encoding the desired polypeptide, in a nutrient medium suitable for production of the polypeptide; and

(b) recovering the polypeptide from the nutrient medium of the mutant cell.

Claim 70 (Original). The method of claim 69, wherein the polypeptide is native to the parent cell.

Claim 71 (Original). The method of claim 69, wherein the polypeptide is heterologous to the parent cell.

Claim 72 (Original). The method of claim 69, wherein the polypeptide is selected from the group consisting of an antibody or portions thereof, an antigen, a clotting factor, an enzyme, a hormone or a hormone variant, a receptor or portions thereof, a regulatory protein, a structural protein, a reporter, and a transport protein.

Claim 73 (Original). The method of claim 72, wherein the enzyme is selected from the group consisting of a hydrolase, isomerase, ligase, lyase, oxidoreductase, and transferase.

Claim 74 (Original). The method of claim 73, wherein the enzyme is selected from the group consisting of an aminopeptidase, amylase, carbohydrase, carboxypeptidase, catalase, cellulase, chitinase, cutinase, deoxyribonuclease, dextranase, esterase, alpha-galactosidase, beta-galactosidase, glucoamylase, alpha-glucosidase, beta-glucosidase, haloperoxidase, invertase, laccase, lipase, mannosidase, mutanase, oxidase, pectinolytic enzyme, peroxidase, phytase, polyphenoloxidase, proteolytic enzyme, ribonuclease, transglutaminase, and xylanase.

Claim 75 (Original). A host cell useful for the production of a protease, wherein the host cell is a mutant of a parent fungal cell and the host cell:

(a) comprises a DNA sequence encoding the protease, the transcription of which is activated by a transcriptional activator encoded by a nucleic acid sequence of claim 51, and

(b) produces more of the transcriptional activator than the parent fungal cell when cultured under the same conditions.

Claim 76 (Original). The host cell of claim 75, wherein the nucleic acid sequence encoding the transcriptional activator is operably linked to a promoter.

Claim 77 (Original). The host cell of claim 75, wherein the desired polypeptide is an extracellular protease.

Claim 78 (Original). A method of producing a protease, comprising:

(a) cultivating the host cell of claim 75 in a nutrient medium suitable for production of the protease; and

(b) recovering the protease from the nutrient medium of the mutant cell.

Claim 79-82 (Canceled.)